IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 6TH FEBRUARY 2007 / 17TH MAGHA 1928

WP(C).No. 4022 of 2007(D)

PETITIONER:

K.P. RAGESH,
S/O.E.RATNAKARAN,
KUNDUNGAL HOUSE,
KANATHUR P.O., MULIYAR VILLAGE,
KASARGOD DISTRICT.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY ITS SECRETARY, LOCAL SELF GOVERNMENT, TRIVANDRUM.

2. THE SECRETARY, KASARGOD MUNICIPALITY, KASARGOD.

3. CHIEF TOWN PLANNER, TRIVANDRUM.

4. DR.MANJUNATH SHETTY, UNITED HOSPITAL AND RESEARCH CENTRE, ARUVEEKA VIDYANAGAR, KASARGOD.

5. DR.VEENAKUMARI, UNITED HOSPITAL AND RESEARCH CENTRE, ARUVEEKA VIDYANAGAR, KASARGOD.

BY GOVERNMENT PLEADER SMT.T.B.RAMANI FOR R1 & R3

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 06/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) No. 4022 OF 2007

Dated this the 6th day of February, 2007

JUDGMENT

Smt.Remani, Government Pleader takes notice on behalf of the 1st respondent.

2. Having regard to the limited relief which is being granted hereunder to the petitioner, I am of the view that it is not necessary to issue notice to the others. Ext.P3 is pending before the 2nd respondent. The petitioner's complaint in Ext.P3 is that the building permit which has been issued in favour of respondents 4 and 5 is in gross violation of the rules.

I do not propose to decide on the genuineness of the above complaint but since Ext.P3 is pending before the 2nd respondent, the 2nd respondent will take up Ext.P3, issue notice to respondents 4 and 5 and also to the petitioner, hear all the three of them and take a correct and just decision. Decision as directed above will be taken by the 2nd respondent at his earliest and at any rate within one month of receiving copy of this judgment.

PIUS C. KURIAKOSE, JUDGE

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